

DE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED

08 AUG 12 AM 10:20

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

918

UNITED STATES OF AMERICA,

Plaintiff,

v.

Ruby HEREDIA-Espinoza

Defendant.

Magistrate Case No.

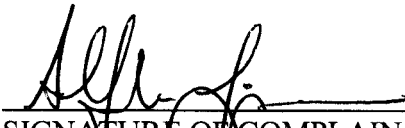
08 MJ 2492 DEPUTY

COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section
1324(a)(2)(B)(iii)-
Bringing in Illegal Aliens
Without Presentation

The undersigned complainant being duly sworn states:

On or about **August 11, 2008**, within the Southern District of California, defendant **Ruby HEREDIA-Espinoza**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that said aliens, namely, **Jose Julio MEDEROS-Valle**, **Angelica REYMUNDO-Marquez**, **Jacqueline GONZALEZ-Alvarez**, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said aliens, and upon arrival did not bring and present said aliens immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).


SIGNATURE OF COMPLAINANT
Alfredo Lopez, Enforcement Officer
U.S. Customs and Border Protection

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **12th** DAY OF
AUGUST, 2008.


UNITED STATES MAGISTRATE JUDGE

DOA
8/11/08
9218

PROBABLE CAUSE STATEMENT

The complainant states that **Jose Julio MEDEROS-Valle, Angelica RAYMUNDO-Marquez, and Jacqueline GONZALEZ-Alvarez** are citizens of a country other than the United States; that said aliens have admitted they are deportable; that their testimony is material; that it is impracticable to secure their attendance at trial by subpoena; and that they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On August 11, 2008, at approximately 0420 hours, **Ruby HEREDIA-Espinoza (Defendant)** was awaiting application for admission into the United States from Mexico at the San Ysidro Port of Entry vehicle entrance in traffic lane #22. Defendant was the driver of a blue Ford Club Wagon Van. A female minor accompanied Defendant and was seated in the front passenger seat. A Customs and Border Protection Canine Officer was conducting pre-primary roving operations with his Human/Narcotics Detection Dog (H/NDD) when he heard the Defendant utilizing the vehicle horn and the female passenger yelling that a van behind them was on fire. The Canine Officer observed a light colored Nissan Quest with the interior engulfed in flames positioned in Mexico just south of the international boundary line markers. At that time the Canine Officer's service canine alerted to the vehicle Defendant was driving. The Officer moved beside the van, utilized his flashlight to look inside, and observed human beings lying down inside the rear cargo area in an attempt to elude inspection. The officer requested assistance and several CBP Officers responded and took custody of Defendant, passenger and vehicle. Defendant, passenger and vehicle occupants were escorted to secondary inspection.

In secondary, CBP Officers removed twelve individuals from rear cargo area of the van. All of the concealed aliens were determined to be citizens of Mexico with no entitlements to enter the United States. Three of the twelve aliens were retained as material witnesses and are now identified as **Jose Julio MEDEROS-Valle (MW1), Angelica RAYMUNDO-Marquez (MW2), and Jacqueline GONZALEZ-Alvarez (MW3)**. The other nine aliens were interviewed and processed for removal to Mexico.

During a videotaped interview, Defendant was advised of her Miranda rights. Defendant acknowledged her rights and elected to answer questions without an attorney present. During a subsequent interview Defendant admitted knowledge of the twelve aliens concealed in rear cargo area of the vehicle. Defendant admitted she was going to receive \$6000.00 USD as payment for smuggling aliens into the United States. Defendant admitted an unknown person intentionally set the vehicle behind her on fire in an attempt to distract Officers' attention away from the vehicle she was driving.

On separate videotaped interviews, all Material Witnesses declared they are citizens of Mexico with no legal rights or entitlements to enter the United States. MW1 and MW3 stated they were going to pay \$3,500 U.S. dollars to be smuggled into the United States. MW2 stated she was going to pay \$4,000 U.S. dollars to be smuggled into the United States.